

SUPPORTING STATEMENT
U.S. Department of Commerce
National Oceanic & Atmospheric Administration
Groundfish Trawl Catcher/Processor Economic Data Report (EDR)
OMB Control No. 0648-0564

Abstract

The National Marine Fisheries Service (NMFS) Alaska Region requests an extension of this currently approved information collection for the Annual Trawl Catcher/Processor Economic Data Report (EDR).

Harvests by trawl catcher/processors in the Gulf of Alaska (GOA) are limited primarily by two management programs, the [Amendment 80 Program](#) and the [Central GOA Rockfish Program](#). Participants in the GOA Trawl Catcher Vessel fishery and associated shorebased plants are required to complete EDRs that are approved under OMB control number 0648-0700. All of the vessels in the trawl catcher/processor sector are subject to management under these NMFS programs. The Annual Trawl Catcher/Processor EDR is submitted by fishing companies, harvesting in the Bering Sea and Aleutian Islands management area (BSAI) and the GOA. The type of data collected includes labor information, revenues received, capital and operational expenditures, and other operational or financial data. The Annual Trawl Catcher/Processor EDR was implemented by the North Pacific Fisheries Management Council (Council) to help evaluate the Amendment 80 Program, including program eligible trawl catcher/processors, and is used by NMFS and the Council to assess the impacts of major changes in the groundfish management regime, including programs for prohibited species catch species and target species.

Justification

1. Explain the circumstances that make the collection of information necessary. Identify any legal or administrative requirements that necessitate the collection. Attach a copy of the appropriate section of each statute and regulation mandating or authorizing the collection of information.

The Secretary of Commerce is responsible for the conservation and management of marine fishery resources within the Exclusive Economic Zone (EEZ) of the United States through National Oceanic and Atmospheric Administration/National Marine Fisheries Service. NMFS manages the GOA groundfish trawl fisheries in the EEZ off Alaska under the Fishery Management Plan for Groundfish of the Gulf of Alaska. Groundfish in the BSAI are managed under the Fishery Management Plan for Groundfish of the Bering Sea and Aleutian Islands Management Area. The Council prepared these fishery management plans under the authority of the [Magnuson-Stevens Fishery Conservation and Management Act](#) (16 U.S.C. 1801 *et seq.*; Magnuson-Stevens Act). Regulations implementing the fishery management plans appear at [50 CFR part 679](#).

2. Indicate how, by whom, and for what purpose the information is to be used. Except for a new collection, indicate the actual use the agency has made of the information received from the current collection.

In 2014, NMFS revised the existing Amendment 80 EDR, which was used by trawl catcher/processors in the BSAI, by adding GOA groundfish fisheries. NMFS also changed the name of the Amendment 80 EDR to the Annual Trawl Catcher/Processor EDR. NMFS also created the GOA Trawl EDR Program, which includes two additional EDRs that are approved under OMB control number 0648-0700. These collections include the Annual Trawl Catcher Vessel and Shoreside Processor EDRs that are submitted by fishing companies, vessel owners, and leaseholders of GOA trawl vessels and shorebased¹ plants, while this collection, the Annual Trawl Catcher/Processor EDR is submitted by Amendment 80 catcher/processors, and Amendment 80 eligible catcher/processors. The type of data collected includes labor information, revenues received, capital and operational expenditures, and other operational or financial data. As this collection is intended to create a time series of observations by permit, this collection has not changed since the most recent renewal.

Regulations at [50 CFR 679.94](#) require submission to NMFS of an Annual Trawl Catcher/Processor EDR by the following:

- any person who held an Amendment 80 quota share (QS) permit
- any person who was an owner or leaseholder of an Amendment 80 vessel
- any person who was an owner or leaseholder of a vessel that was named on a Limited License Program (LLP) groundfish license that authorizes a catcher/processor using trawl gear to harvest and process LLP groundfish species in the GOA during a calendar year

The complete EDR must be submitted for each calendar year on or before June 1 of the following year. All information reported must be current and complete as of the date of submission, including post-season adjustments and settlements.

Pacific States Marine Fisheries Commission (Pacific States) has been designated by NMFS to be the Data Collection Agent for the Annual Trawl Catcher/Processor EDR. Pacific States mails EDR announcements and filing instructions to affected QS permit holders, vessel owners, and applicable leaseholders.

To receive an EDR by mail, respondents may call 1-877-741-8913, or email their request to edr@psmfc.org.

An EDR may be submitted online or may be downloaded in fillable PDF format and then faxed or mailed. Submit the completed EDR—

By mail to: Pacific States Marine Fisheries Commission NMFS Economic Data
Reports

¹ Shorebased refers to fixed shoreside plants with delivery docks, floating processors that are operated at shoreside, and can include custom processors that operate in facilities that receive deliveries from shoreside but are not physically located at shoreside.

205 SE Spokane, Suite 100
Portland, OR 97202

By fax to: 503-595-3450

Online at: <https://survey.psmfc.org>

Depending on a respondent's activity in a given calendar year, the respondent for a catcher/processor completes and submits either the entire EDR or the EDR certification pages.

◆ The following must complete and submit the entire EDR:

- A catcher/processor owner, or the holder of the Amendment 80 QS permit, who harvested or processed groundfish in the GOA in that vessel.
- A catcher/processor leaseholder who harvested or processed groundfish in the GOA in that vessel.

◆ The following must complete and submit the EDR certification pages **only**:

- A catcher/processor owner who leased or sold the catcher/processor to another party, and who did not harvest or process groundfish in the GOA in that vessel.
- An owner of a catcher/processor that was lost or rendered permanently inoperable due to accident, and harvested no groundfish in the GOA in that vessel.
- A catcher/processor owner, and no one harvested or processed groundfish in the GOA in that vessel.

To ensure that each permit holder is consistently and accurately completing the EDR, an audit may be performed by a qualified accountant or the Data Collection Agent for the purpose of validating the data reported in the EDR. This step ensures that the data can be relied on to produce accurate and reliable information for the Alaska groundfish trawl fisheries.

If selected for validation, auditors will verify the data report by comparing specific elements of the report with the permit holder's records. To make this process as efficient and non-intrusive as possible, NMFS suggests respondents do the following:

- ◆ Keep a copy of the completed EDR or certification pages submitted. Copy and attach extra sheets as needed.
- ◆ Keep a file that has all of the supporting information used in the preparation of the EDR.
- ◆ Make sure that the EDR aligns with the company's highest level of financial information. For this purpose, the highest level of financial information is defined in order as follows:
 - Audited financial statements
 - Reviewed financial statements

- Compiled financial statements
- Tax returns

NMFS anticipates that the information collected will be disseminated in aggregated and non-confidential form to the public or used to support publicly disseminated information on the GOA trawl fisheries. NMFS will retain control over the information and safeguard it from improper access, modification, and destruction, consistent with NOAA standards for confidentiality, privacy, and electronic information. See the response to Question 10 of this Supporting Statement for more information on confidentiality and privacy. The information collection is designed to yield data that meet all applicable information quality guidelines. Prior to dissemination, the information will be subjected to quality control measures and a pre-dissemination review pursuant to [Section 515 of Public Law 106-554](#).

Uses of GOA Trawl Catcher/Processor EDR Program Data

The Annual Trawl Catcher/Processor EDR was originally implemented to help evaluate the Amendment 80 Program, and has since been revised to include GOA trawl catcher/processors formerly included in the 0648-0700 collection. Thus this collection is specific to GOA trawl catcher/processors, and the collection under 0648-0700 is limited to include GOA trawl catcher vessels and shorebased processors, with participation in those sectors varying from year to year. This information collection is used to assess the impacts of major changes in the groundfish management regime, including programs for prohibited species catch species and target species.

To assess the performance of the Amendment 80 and GOA trawl catcher/processor fleet under the rationalization program and subsequent changes in fishery management, economists and analysts at the Alaska Fisheries Science Center use the GOA Trawl EDR data collection to prepare an annual summary report that is included as a chapter to the annual publication *Economic Status of the Groundfish Fisheries off Alaska*². The summary reports statistics that are intended to indicate trends in a variety of economic indicators and metrics. The reported statistics provide a general overview of fishery performance over time, and are not intended as a rigorous statistical analysis of specific hypotheses regarding economic efficiency or other performance metrics.

The Magnuson-Stevens Act requires a formal and detailed review of Limited Access Privilege Programs (LAPPs) 5 years after the implementation of the program, and thereafter to coincide with scheduled Council review of the relevant fishery management plan (but no less frequently than once every 7 years). The Amendment 80 Program 5-year review was completed in 2014 (Northern Economics, 2014³). The review provides an overview of the EDR data collected and uses the data to summarize expenses and revenues fleet wide. Operating expenses, including payments to labor, are documented and the EDR data is used to develop a cash flow model.

Council staff, NMFS staff, contractors, and academic partners have used EDR data, both from published reports and custom queries, in several important ways. EDR data have been used in catch share program reviews. In addition, it has been used in several regulatory action analyses, such as for analyzing crew employment in the 2014 Final Environmental Impact Statement: Steller Sea Lion Protection Measures

² <https://www.fisheries.noaa.gov/alaska/ecosystems/economic-status-reports-gulf-alaska-and-bering-sea-aleutian-islands>

³ <https://www.fisheries.noaa.gov/resource/document/five-year-review-effects-amendment-80>

for Groundfish Fisheries in the Bering Sea and Aleutian Islands Management Area⁴. EDR data was also used in analyses of regulatory actions affecting the Amendment 80 fleet and was recently used in a regulatory impact review of allowing deck sorting of halibut in non-pollock groundfish trawl fisheries (RIN 0648-BI53, effective November 14, 2019; 84 FR 55044, October 15, 2019).

Information Requirements and Needs and Uses of Information Collected

Item #	Requirement	Statute	Regulation	Form #	Needs and Uses
1	Annual GOA Trawl Catcher/Processor EDR	16 U.S.C. 1801 <i>et seq.</i>	50 CFR 679.94 and 679.110	On-line or by mail, no form number	<ul style="list-style-type: none"> ● Used by NMFS in annual report and regulatory analysis. ● Used by Council staff and contractors for LAPP evaluation and in regulatory analysis. ● Used by partnered researchers to conduct fishery economic research.

3. Describe whether, and to what extent, the collection of information involves the use of automated, electronic, mechanical, or other technological collection techniques or other forms of information technology, e.g. permitting electronic submission of responses, and the basis for the decision for adopting this means of collection. Also, describe any consideration of using information technology to reduce burden.

All EDR instructions and online submission are available on the internet (<http://www.psmfc.org/goatrawl/index.html>) and, additionally, applications can be emailed, faxed, or mailed to applicants if requested. The intent of the online submission system is to provide a user-friendly and efficient format to submit the EDR.

4. Describe efforts to identify duplication. Show specifically why any similar information already available cannot be used or modified for use for the purposes described in Question 2

No duplication exists for this information collection. In 2014, the Amendment 80 Program EDR was rolled into this collection to reduce duplicative information collection. This collection is the only source of observational cross-section time series data regarding the economic performance of this fleet.

5. If the collection of information impacts small businesses or other small entities, describe any methods used to minimize burden.

This information collection does not impose a significant adverse impact on directly regulated small entities nor does it affect a substantial number of directly regulated small entities. There are potentially 30 entities that either submit EDRs or EDR certifications. Of these only one entity owning a single catcher/processor is considered a small entity for purposes of the Regulatory Flexibility Act (RFA). All others are cooperative affiliated Amendment 80 large entities.

⁴ <https://www.fisheries.noaa.gov/resource/document/final-environmental-impact-statement-steller-sea-lion-protection-measures>

In addition, two of the six Western Alaska Community Development Quota Program entities own harvesting and processing vessels that operate in the GOA trawl fisheries. Under the RFA, the Western Alaska Community Development Quota groups are considered to be small entities regardless of their revenue. These entities either directly own Amendment 80 trawl catcher/processors or have wholly owned subsidiaries that own Amendment 80 trawl catcher/processors. They may also own a portion of the fishing company that owns these Amendment 80 trawl catcher/processors. Thus, although they would be considered large via cooperative affiliations, they are specially defined as small under the RFA. Thus, up to two Western Alaska Community Development Quota groups are considered small entities for purposes of the RFA and would fall under this information collection depending on their annual fishing operations.

NMFS attempts to minimize the burden of this collection on all respondents. The online submission system is designed to provide a user-friendly and efficient format to submit the EDR. A toll-free phone number is available for participants to contact Pacific States staff for help or information. In 2019, NMFS suspended automated audits of the Annual Trawl Catcher/Processor EDR submissions. This was done to ease the burden associated with audits. The Data Collection Agent is now performing data verification.

6. Describe the consequence to Federal program or policy activities if the collection is not conducted or is conducted less frequently, as well as any technical or legal obstacles to reducing burden.

This data collection provides the Council and analysts with relevant baseline information that can be used to assess the impacts of management decisions on affected harvesters, processors, and communities in the GOA. The Council expressed the need to better understand the potential economic and employment impacts actions would have on specific job categories of persons in fishing, processing, or administration of fishing operations. Additional data are needed prior to the implementation of a GOA trawl catch share program to augment data that are currently available. The Council and NMFS agree that baseline information collected by this EDR will provide a better understanding of the crew members that participate in the GOA trawl fishery and these workers' compensation in the time period before additional catch share programs are established in the GOA. The analysis of data collection alternatives may be found on the Council website (https://www.npfmc.org/wp-content/PDFdocuments/catch_shares/GOAtrawl/GOATrawlDataCollection913.pdf)

7. Explain any special circumstances that would cause an information collection to be conducted in a manner inconsistent with OMB guidelines.

This collection is conducted in a manner consistent with OMB guidelines.

8. If applicable, provide a copy and identify the date and page number of publications in the Federal Register of the agency's notice, required by 5 CFR 1320.8 (d), soliciting comments on the information collection prior to submission to OMB. Summarize public comments received in response to that notice and describe actions taken by the agency in response to these comments. Specifically address comments received on cost and hour burden.

A *Federal Register* Notice was published on July 23, 2020 ([85 FR 44524](#)), to solicit public comment. The comment period ended on September 21, 2020. No public comments were received.

Comments were also solicited through public testimony in the Council process on January 31, 2020. The Council has been reviewing all of the EDR collections over the past several years, first with a request for a discussion paper comparing the various EDRs. Second, the Council moved to consider a regulatory amendment to possibly revise the EDR program collections and received an initial review draft of that analysis in January 2020. The Council has postponed action and charged its Social Sciences Planning Team (SSPT) to conduct further stakeholder outreach in August and September of 2020 and to develop recommendations for further analysis of regulatory amendments.

This collection is required by regulation and Federal Fishing Permit issuance is dependent on compliance. Without Council action to direct NMFS to make a regulatory amendment suspending or eliminating the program NMFS cannot waive compliance. The Council chose not to eliminate this program in January-- 2020, and such action was one of the alternatives analyzed and presented to the Council. The Council specifically chose, instead, to continue this collection while the SSPT process occurs and evaluate all of the EDR collections comprehensively so that revisions can be made utilizing the best scientific information as well as with ample opportunity for stakeholder input.

The SSPT has held an EDR program stakeholder comment meeting, a separate team meeting, and is now planning four separate stakeholder meetings, one for each EDR collection in November 2020. It is anticipated that team report will be provided to the Council with EDR program revision recommendations in February of 2021.

Public testimony related to this collection during the Council meeting focused on the longevity of this collection and that the Amendment 80 catch shares program has matured and has stabilized the fishery to the point that data is fairly consistent from year to year and annual submission may not be necessary. A commenter suggested that all annual EDRs be suspended and only required in years of LAPP (e.g., catch shares) review. Respondents who testified contend that some of the information is available from other sources and duplication needs to be reviewed for elimination. While some of the information in this collection may appear in other industry provided reports, such as cooperative reports, this collection provides a unique cross-sectional time series set of vessel level observations that are of consistently high quality, whereas other aggregated data sources or voluntarily provided information do not provide disaggregated data or have the level of oversight and quality control present in the EDR Program.

Several commenters contend that the EDR data is not being used in the Council's fisheries management decision making process; however, EDR data from this collection is used in the Council process to develop analyses that the Council then reviews in order to take management actions (see discussion for question 2). All of these issues will be considered during the upcoming SSPT comprehensive review of the EDR programs where additional public comment on EDR revisions will be taken.

9. Explain any decision to provide any payment or gift to respondents, other than remuneration of contractors or grantees.

No payment or gift will be provided under the GOA Trawl EDR Program.

10. Describe any assurance of confidentiality provided to respondents and the basis for the assurance in statute, regulation, or agency policy. If the collection requires a systems of records notice (SORN) or privacy impact assessment (PIA), those should be cited and described here.

The information collected is confidential under section 402(b) of the Magnuson-Stevens Fishery Conservation and Management Act (16 U.S.C. 1801, *et seq.*). It is also confidential under [NOAA Administrative Order 216-100](#), which sets forth procedures to protect confidentiality of fishery statistics. Storage for the information includes a computerized database that is password protected and to which access is limited. Paper records are filed in folders in locked cabinets in areas that are accessible only to authorized personnel. Buildings where the records are maintained employ security systems with locks and access limits. Only those that have the need to know, to carry out the official duties of their job, have access to the information. The personnel of NMFS Alaska Region and its contractors (Pacific States) are instructed on the confidential nature of this information.

The system of records notice that covers this information collection is [COMMERCE/NOAA #16, Economic Data Reports for Alaska Federally Regulated Fisheries off the Coast of Alaska](#).

The Privacy Impact Assessment that covers this information collection is [NOAA NMFS Alaska Region Local Area Network \(NOAA4700\)](#).

11. Provide additional justification for any questions of a sensitive nature, such as sexual behavior or attitudes, religious beliefs, and other matters that are commonly considered private. This justification should include the reasons why the agency considers the questions necessary, the specific uses to be made of the information, the explanation to be given to persons from whom the information is requested, and any steps to be taken to obtain their consent.

This information collection does not involve information of a sensitive nature.

12. Provide estimates of the hour burden of the collection of information.

The GOA Trawl Catcher/Processor EDR applies to 30 licensed vessels, all but one of which are Amendment 80 vessels, while one additional vessel is Amendment 80 eligible.⁵ The estimated 22 hours per response includes the submittal of the entire EDR, the submittal of the certification pages only, and submittal of responses to questions from an auditor. This estimate is considerably larger than the 15 hours estimated in the 0648-0700 collection, as past public comment indicated that this collection had a greater reporting burden.

Information Collection	Type of Respondent (e.g., Occupational Title)	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Burden Hrs / Response (d)	Total Annual Burden Hrs (e) = (c) x (d)	Hourly Wage Rate (for Type of Respondent) (f)	Total Annual Wage Burden Costs (g) = (e) x (f)
Annual GOA Trawl Catcher/Processor EDR	Accountant/ Manager	30	1	30	22	660	\$37*	\$24,420

⁵ The EDR is done by LLP, so if a CDQ group is an owner or partial owner then they are included here.

Totals		30		660		\$24,420
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* The \$37 per hour (rounded) is the Bureau of Labor Statistics, Occupational and Employment and Wage Estimates for Alaska, May 2019 estimate for series 13-1051 (https://www.bls.gov/oes/current/oes_ak.htm). The EDR submissions are sufficiently similar to cost estimation processes in that they require reporting of cost of production data from multiple differing target fisheries. Further, NMFS has used this cost estimate in several of our recent EDR renewals and presents its burden hour and cost per hour estimates for public comment and generally updates and revises them if it receives information that supports doing so.

13. Provide an estimate for the total annual cost burden to respondents or record keepers resulting from the collection of information. (Do not include the cost of any hour burden already reflected on the burden worksheet).

There are no capital/start-up or ongoing operation/maintenance costs associated with this information collection, as it is a renewal of an existing collection, and equipment used is customary business equipment.

This collection does not require additional recordkeeping burden or additional recordkeepers as records already customarily maintained are used to complete the collection form. Burden to complete the online form is reflected on the burden sheet. This collection may involve the use of photocopying, faxes, mail and online access estimated to be approximately \$5 per respondent.

Information Collection	# of Respondents/year (a)	Annual # of Responses / Respondent (b)	Total # of Annual Responses (c) = (a) x (b)	Cost Burden / Respondent (h)	Total Annual Cost Burden (i) = (c) x (h)
Annual GOA Trawl Catcher/Processor EDR	30	1	30	Operating Costs: \$5	\$150
TOTALS	30		30		\$150

14. Provide estimates of annualized cost to the Federal government. Also, provide a description of the method used to estimate cost, which should include quantification of hours, operational expenses (such as equipment, overhead, printing, and support staff), and any other expense that would not have been incurred without this collection of information.

NMFS costs associated with data collection for the GOA trawl catcher/processor fishery management program, as a LAPP, are recoverable through program cost recovery fees. Under this cost recovery program, NMFS is authorized to collect direct program costs from the permit holders, including agency costs for administration of mandatory recordkeeping and reporting requirements associated with the LAPP. Therefore, the estimated Federal Oversight and Contractor costs associated with administration of the Annual Trawl Catcher/Processor EDR shown in the table below do not impose a cost on the Federal Government.

These costs are actual costs for a Federal Oversight Economist’s proportion of time applied to this collection within the overall EDR Program. Costs for the contracted services of the Pacific States Marine Fisheries Commission administration of data collection are based on a firm fixed prices mechanism and are inclusive of salaries, fringe benefits, supplies, and other miscellaneous costs.

Cost Descriptions	Grade/Step	Loaded Salary /Cost	% of Effort	Fringe (if Applicable)	Total Cost to Government
Federal Oversight	ZP III/03	\$ 166,081	11		\$ 18,269
Other Federal Positions					
Contractor Cost					\$ 60,494
Travel					
Other Costs:					
TOTAL					\$ 78,763

15. Explain the reasons for any program changes or adjustments reported in ROCIS.

There are no changes to the respondents, responses, burden hours, or labor costs since the last OMB approval. Miscellaneous costs have been estimated as a flat rate of \$5 per response.

Information Collection	Labor Costs		Miscellaneous Costs		Reason for change or adjustment
	Current	Previous	Current	Previous	
Annual GOA Trawl Catcher/Processor EDR	\$24,420	\$24,420	\$150	\$35	Miscellaneous costs are now estimated as a flat rate per response.
Total for Collection	\$24,420	\$24,420	\$150	\$35	
Difference	0		\$115		

16. For collections of information whose results will be published, outline plans for tabulation and publication. Address any complex analytical techniques that will be used. Provide the time schedule for the entire project, including beginning and ending dates of the collection of information, completion of report, publication dates, and other actions.

The information collected will not be published. It is anticipated that the information collected will be disseminated in aggregated and non-confidential form to the public or used to support publicly disseminated information. Annually, the Alaska Fisheries Science Center prepares the Economic Stock Assessment and Fishery Evaluation Report for the Groundfish Fisheries of the Gulf of Alaska. That report contains an appendix summarizing the information from this collection and is usually published in December each year. In addition, all respondents subject to this data collection are Amendment 80 LAPP eligible, and the data from this collection was last used to evaluate program performance in 2014. Both the annual report and the periodic program reviews are publicly distributed documents.

17. If seeking approval to not display the expiration date for OMB approval of the information collection, explain the reasons that display would be inappropriate.

The agency plans to display the expiration data form OMB approval of the information collection on all instruments.

18. Explain each exception to the certification statement identified in “Certification for Paperwork Reduction Act Submissions.”

There are no exceptions to this certification.

The agency certifies compliance with [5 CFR 1320.9](#) and the related provisions of [5 CFR 1320.8\(b\)\(3\)](#).